

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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|-----------------------------------|---|---------------------------|
| REGINALD DEWAYNE NELSON, #233909, |) | |
| Petitioner, |) | |
| |) | No. 1:15-cv-251 |
| -v- |) | |
| |) | Honorable Paul L. Maloney |
| DEWAYNE BURTON, |) | |
| Respondent. |) | |
| |) | |

ORDER ADOPTING REPORT AND RECOMMENDATION
AND
ORDER DENYING § 2254 HABEAS PETITION

Petitioner Reginald Nelson, a state prisoner, filed a habeas petition under 28 U.S.C. § 2254. The magistrate judge issued a report recommending the petition be denied. (ECF No. 18.) Nelson filed objections. (ECF No. 19.)

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Only those objections that are specific are entitled to a de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam).

Fairly summarized, Nelson's objections are little more than restatements of his claims. At best, Nelson has identified the recommendations of the magistrate judge, and asserted that he objects to each conclusion. Nelson does not contest the facts outlined in the R&R.

Nelson does not identify any errors in the law summarized in the R&R. Nelson does not provide any sort of analysis of the reasoning employed by the magistrate judge. "[A]n objection that does nothing more than state a disagreement with the magistrate's suggested resolution, or simply summarizes what has been presented before, is not an 'objection' as that term is used in the context of Federal Rule of Civil Procedure 72." *Brown v. City of Grand Rapids, Michigan*, No. 16-2433, 2017 WL 4712064, at *2 (6th Cir. June 16, 2017)

For this reason, the Report and Recommendation (ECF No. 18) is **ADOPTED** as the Opinion of this Court. Nelson's petition for habeas relief is **DENIED**.

The Court has reviewed the record for the purpose of determining whether to issue a Certificate of Appealability. As the facts and law are summarized in the R&R, reasonable jurists would not debate whether the issues should have been resolved in a different manner. Accordingly, a Certificate of Appealability is **DENIED**.

IT IS SO ORDERED.

Date: March 6, 2018

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge